

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Commodity Futures Trading Commission,

Plaintiff,

v.

Bayou Management LLC, Samuel Israel III  
Daniel E. Marino, and Richmond Fairfield  
Associates, Certified Public Accountants  
PLLC,

Defendants.

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: Case No. 05-cv-8374 (CM)  
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: PLAINTIFF'S REQUEST FOR  
: ENTRY OF DEFAULT AGAINST  
: DEFENDANT DANIEL E. MARINO  
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:  
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TO: J. MICHAEL MCMAHON, CLERK  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
300 QUARROPAS STREET  
WHITE PLAINS, NY 10601-4150

Please enter default of defendant Daniel E. Marino, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, for failure to plead or otherwise defend the above-captioned action as fully appears from the court file herein and from the attached affidavit of Christine M. Ryall.

Dated: February 17, 2006

Respectfully submitted,

Joseph Rosenberg (JR 5225)  
Local Counsel  
Commodity Futures Trading Commission  
140 Broadway  
New York, New York 10005  
(646) 746-9765

/s/ Christine M. Ryall  
\_\_\_\_\_  
Christine M. Ryall (CR 6041)  
Eugene Smith (ES 2817)  
Commodity Futures Trading Commission  
Division Of Enforcement  
1155 21st Street, N.W.  
Washington, D.C. 20581  
cryall@cftc.gov  
(202) 418-5318

**Certificate of Service**

I hereby certify that on February 17, 2006, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Local Rules on Electronic Service upon the following parties and participants:

Lawrence S. Bader, Esq.  
Morvillo, Abramowitz, Grand, Iason &  
Silberberg, P.C.  
565 Fifth Avenue  
New York, NY 10017  
*Attorney to Defendant Samuel Israel*

Bayou Management LLC  
c/o Samuel Israel, Managing Member  
c/o Lawrence S. Bader, Esq.  
Morvillo, Abramowitz, Grand, Iason &  
Silberberg, P.C.  
565 Fifth Avenue  
New York, NY 10017

Andrew Bowman, Esq.  
1804 Post Road East  
Westport, CT 06880  
*Attorney to Defendant Daniel E. Marino*

Richmond Fairfield Associates, Certified  
Public Accountants PLLC  
c/o Daniel E. Marino, Managing Member  
c/o Andrew Bowman, Esq.  
1804 Post Road East  
Westport, CT 06880

/s/ Christine M. Ryall

---

Christine M. Ryall (CR 6041)  
Commodity Futures Trading Commission  
Division Of Enforcement  
Three Lafayette Center  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581  
(202) 418-5318

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PLLC,

Defendants.

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Case No. 05-cv-8374 (CM)

PLAINTIFF'S AFFIDAVIT IN  
SUPPORT OF REQUEST FOR  
ENTRY OF DEFAULT AGAINST  
DEFENDANT DANIEL E. MARINO

I, Christine M. Ryall, hereby make the following declaration based upon my personal knowledge:

1. I am attorney to the Plaintiff, Commodity Futures Trading Commission, in the case captioned above.
2. Plaintiff filed its Complaint in this matter on September 29, 2005.
3. Pursuant to F.R.Civ.P. 4, a proper Summons directed to defendant Daniel E. Marino ("Marino") was signed and sealed by the Clerk of Court. The Summons and Complaint were served on defendant Marino via his attorney Andrew Bowman, per agreement, on October 19, 2005. The proof of service was filed with the Clerk of Court on October 26, 2005.
4. The time within which defendant Marino may answer or otherwise move with respect to the Complaint has expired; said defendant has not answered or otherwise moved with respect to the Complaint, and the time for defendant to do so has not been extended.

5. Defendant Marino is not an infant or incompetent. Defendant Marino is not presently in the military service of the United States.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: February 17, 2006  
Washington, DC

By: /s/ Christine M. Ryall  
Christine M. Ryall

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I hereby certify that on February 17, 2006, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Local Rules on Electronic Service upon the following parties and participants:

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*Attorney to Defendant Samuel Israel*

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c/o Samuel Israel, Managing Member  
c/o Lawrence S. Bader, Esq.  
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Andrew Bowman, Esq.  
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Westport, CT 06880  
*Attorney to Defendant Daniel E. Marino*

Richmond Fairfield Associates, Certified  
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c/o Daniel E. Marino, Managing Member  
c/o Andrew Bowman, Esq.  
1804 Post Road East  
Westport, CT 06880

/s/ Christine M. Ryall  
Christine M. Ryall (CR 6041)  
Commodity Futures Trading Commission  
Division Of Enforcement  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Commodity Futures Trading Commission,

Plaintiff,

v.

Bayou Management LLC, Samuel Israel III  
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PLLC,

Defendants.

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: Case No. 05-cv-8374 (CM)  
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: NOTATION OF DEFAULT OF  
: DEFENDANT DANIEL E. MARINO  
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I, J. Michael McMahon, Clerk of Court of the United States District Court for the Southern District of New York, do hereby certify that the defendant Daniel E. Marino has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Daniel E. Marino is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: February \_\_\_\_, 2006

J. MICHAEL MCMAHON  
Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

**Certificate of Service**

I hereby certify that on February 17, 2006, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Local Rules on Electronic Service upon the following parties and participants:

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*Attorney to Defendant Samuel Israel*

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c/o Samuel Israel, Managing Member  
c/o Lawrence S. Bader, Esq.  
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Andrew Bowman, Esq.  
1804 Post Road East  
Westport, CT 06880  
*Attorney to Defendant Daniel E. Marino*

Richmond Fairfield Associates, Certified  
Public Accountants PLLC  
c/o Daniel E. Marino, Managing Member  
c/o Andrew Bowman, Esq.  
1804 Post Road East  
Westport, CT 06880

/s/ Christine M. Ryall

Christine M. Ryall (CR 6041)  
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UNITED STATES DISTRICT COURT  
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Commodity Futures Trading Commission,

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Daniel E. Marino, and Richmond Fairfield  
Associates, Certified Public Accountants  
PLLC,

Defendants.

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Case No. 05-cv-8374 (CM)

PLAINTIFF'S REQUEST FOR  
ENTRY OF DEFAULT AGAINST  
DEFENDANT RICHMOND  
FAIRFIELD ASSOCIATES,  
CERTIFIED PUBLIC  
ACCOUNTANTS PLLC

TO: J. MICHAEL MCMAHON, CLERK  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
300 QUARROPAS STREET  
WHITE PLAINS, NY 10601-4150

Please enter default of defendant Richmond Fairfield Associates, Certified Public Accountants PLLC, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, for failure to plead or otherwise defend the above-captioned action as fully appears from the court file herein and from the attached affidavit of Christine M. Ryall.

Dated: February 17, 2006

Respectfully submitted,

Joseph Rosenberg (JR 5225)  
Local Counsel  
Commodity Futures Trading Commission  
140 Broadway  
New York, New York 10005  
(646) 746-9765

/s/ Christine M. Ryall

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Christine M. Ryall (CR 6041)  
Eugene Smith (ES 2817)  
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*Attorney to Defendant Samuel Israel*

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c/o Samuel Israel, Managing Member  
c/o Lawrence S. Bader, Esq.  
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*Attorney to Defendant Daniel E. Marino*

Richmond Fairfield Associates, Certified  
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c/o Andrew Bowman, Esq.  
1804 Post Road East  
Westport, CT 06880

/s/ Christine M. Ryall

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UNITED STATES DISTRICT COURT  
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DEFENDANT RICHMOND  
FAIRFIELD ASSOCIATES,  
CERTIFIED PUBLIC  
ACCOUNTANTS PLLC

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I, Christine M. Ryall, hereby make the following declaration based upon my personal knowledge:

1. I am attorney to the Plaintiff, Commodity Futures Trading Commission, in the case captioned above.
2. Plaintiff filed its Complaint in this matter on September 29, 2005.
3. Pursuant to F.R.Civ.P. 4, a proper Summons directed to defendant Richmond Fairfield Associates, Certified Public Accountants PLLC ("Richmond Fairfield") was signed and sealed by the Clerk of Court. The Summons and Complaint were served on defendant Richmond Fairfield via its managing member, Daniel E. Marino via his attorney Andrew Bowman, per agreement, on October 19, 2005. The proof of service was filed with the Clerk of Court on October 26, 2005.

4. The time within which defendant Richmond Fairfield may answer or otherwise move with respect to the Complaint has expired; said defendant has not answered or otherwise moved with respect to the Complaint, and the time for defendant to do so has not been extended.

5. Defendant Richmond Fairfield is not an infant or incompetent. Defendant Richmond Fairfield is not presently in the military service of the United States.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: February 17, 2006  
Washington, DC

By: /s/ Christine M. Ryall  
Christine M. Ryall

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UNITED STATES DISTRICT COURT  
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Case No. 05-cv-8374 (CM)

NOTATION OF DEFAULT OF  
DEFENDANT RICHMOND  
FAIRFIELD ASSOCIATES,  
CERTIFIED PUBLIC  
ACCOUNTANTS PLLC

I, J. Michael McMahon, Clerk of Court of the United States District Court for the Southern District of New York, do hereby certify that the defendant Richmond Fairfield Associates, Certified Public Accountants PLLC has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant Richmond Fairfield Associates, Certified Public Accountants PLLC is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: February \_\_\_\_, 2006

J. MICHAEL MCMAHON  
Clerk of the Court

By: \_\_\_\_\_

Deputy Clerk

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*Attorney to Defendant Daniel E. Marino*

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/s/ Christine M. Ryall

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